

### **REMARKS**

The present Amendment amends claims 53-56, 71-80, 83 and 84 and leaves claims 57-70, 81 and 82 unchanged. 53-84.

In the Office Action the Examiner objected to the May 1, 2003 Amendment under 35 USC §132 being that the Examiner alleges that it introduces new matter into the disclosure. Applicants do not agree and therefore this objection is traversed for the following reasons. Applicants submit that the May 1, 2003 Amendment particularly with regard to page 23 and the addition of the "+" sign in equation 12 does not constitute new matter. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

Applicants hereby submit that the specification as filed on December 2, 1999 was simply a translation of the Japanese language PCT International application (PCT/JP98/02435) from which the present application depends. The Japanese language PCT International application entered the National Stage on December 2, 1999 and therefore required a verified English language translation. The verified English language translation of the Japanese language PCT International application, which was used to enter the National Stage in the United States Patent and Trademark Office, contained various typographical errors particularly with regard to the missing plus sign (+) on page 23.

Attached for the Examiner's reference are copies of pages 15-17 of the Japanese language PCT International application in which the plus sign (+) exists in equation 12 on page 16 thereof. The verified English language translation of pages

15-17 of the Japanese language PCT International application contained the above noted typographical errors particularly with regard to the missing plus sign (+) on page 23. A Sworn English translation of pages 15-17 of the Japanese PCT International application having the plus sign (+) is attached for the Examiner's reference.

Thus, according to the rules of practice regarding entering the National Stage in the PCT, particularly 37 CFR §1.495(b)(1) and (f), an application which enters the National Stage is to be the same as the PCT International application by providing a copy of the International application and a verified English language translation thereof if said International application is in a language other than English. Thus, since the plus sign (+) existed in the PCT International application and the plus sign (+) was inadvertently deleted due to a mis-translation in the verified English translation filed on December 2, 1999, the present application can be properly amended to reinsert the missing plus sign (+) to make the present application a true translation of the International application.

Therefore, based on the above Applicants respectfully request the Examiner to reconsider and withdraw the objection to the specification under 35 USC §132.

In paragraph 2 of the Office Action the Examiner objected to various informalities in claims 54-56, 58, 60, 62, 64, 66 and 68. Various amendments were made throughout these claims to correct the informalities noted by the Examiner. Therefore, this objection is overcome and should be withdrawn.

Claims 76, 80, 83 and 84 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim

the subject matter which Applicants regards as the invention. Various amendments were made throughout claims 76, 80, 83 and 84 to bring them into conformity with the requirements of 35 USC §112, second paragraph. Therefore, Applicants submit that this rejection is overcome and should be withdrawn.

Specifically, amendments were made throughout claims 76, 80, 83 and 84 to overcome the objections noted by the Examiner in paragraph 3 of the Office Action. The Examiner's cooperation is respectfully requested to contact Applicants' Attorney by telephone should any further indefinite matters be discovered so that appropriate amendments may be made.

In paragraph 5 of the Office Action the Examiner rejected claims 55 and 56 under 35 USC §112, first paragraph as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one of ordinary skill in the art that the inventors at the time the application was filed had possession of the claimed invention. Applicants traverse this rejection. Applicants submit that the specification as filed clearly provided support for the invention as claimed and therefore the specification would have reasonably conveyed to one of ordinary skill in the art that the inventors at the time the application was filed had possession of the claimed invention. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

With respect to the rejection of claims 55 and 56 under 35 USC §112, first paragraph, the Examiner objects to the above noted amendment to the specification regarding the plus sign (+) on page 23. Since the plus sign (+) existed in the PCT International application from which the present application depends, it is totally

appropriate and permitted for Applicants to amend the specification of the present application to conform with the PCT International application as argued above. Therefore, the Examiner's objection with respect to claims 55 and 56 regarding the lack of a plus sign is overcome and should be withdrawn.

With respect to claim 56, amendments were made to claim 56 to conform with the disclosure of the equation contained therein and the discussion of the present invention on page 24, lines 10-23 of the present application.

Therefore, based on the above, the features of the present invention as now more clearly recited in the claims are clearly supported by the specification as originally filed and as such reasonably conveys to one of ordinary skill in the art that the inventors at the time the application had possession of the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §112, first paragraph rejection is respectfully requested.

Claims 53 and 54 stand rejected under 35 USC §101 being that the Examiner alleges that the claimed invention is directed to non-statutory subject matter. Applicants do not agree with this rejection. However, the Examiner suggested in the first full paragraph of page 6 of the Office Action that:

"in order to overcome the above 35 USC §101 rejection, it is suggested that "to produce motion vectors" should be properly inserted after "image information" at claim 53, line 2 and claim 54, line 2, respectively".

Amendments were made to claims 53 and 54 in the manner suggested by the Examiner. Therefore, claims 53 and 54 are now in a format so as to overcome the 35 USC §101 rejection as set forth by the Examiner in the Office Action.

In view of the foregoing amendments and remarks, Applicants submit that claims 53-84 are in condition for allowance. Accordingly, early allowance of claims 53-84 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (520.37902X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



---

Carl I. Brundidge  
Registration No. 29,621

CIB/jdc  
(703) 312-6600